

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 1, 8, and 9 have been amended, and claim 19 has been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-17, and 19 are pending and under consideration. Reconsideration is requested.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at page 2, item 4, the Examiner rejected claims 1-6, 9-18 under 35 U.S.C. §103(a) as being unpatentable over Perkins (U.S. Patent No. 4,508,024 – hereinafter Perkins), in view of Hedgpeth (U.S. Patent No. 6,125,838 - hereinafter Hedgpeth). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 4, item 5 the Examiner rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over Perkins in view of Hedgpeth and further in view of Hennick (U.S. Patent No. 5,189,945 -hereinafter Hennick). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

Amended, independent claim 1 recites: "...a cover covering the food, defining a cooking space thereunder, and having an air ventilation structure serving as a primary conduit of air into and out of the cooking space during cooking, when the cover is in a closed position."

And amended, independent claim 9 recites: "...a cover, defining a cooking space between the grill unit and the cover, with an air inlet, serving as a primary inlet of air into the cooking space when the cover is in a closed position, the air inlet being positioned to prevent outside air in the vicinity of the air inlet from being heated by the heating unit, and an air outlet to ventilate the air out of the cooking space when the cover is in the closed position."

Perkins discloses an embodiment of a cooker with a top cover 13 having adjustable exhaust ports 43 and a container 12 with adjustable intake vents 42, such that air flows in via the intake vents 42 and out through the exhaust ports 43. (See Perkins, at col. 4, lines 58-68). Perkins also discloses an embodiment of a cooker with a base 58 having intake vents 63 and a cover 62 with exhaust ports 64, such that air flows in via the intake vents 63 and out through the exhaust ports 64. (See Perkins, at col. 6, lines 1-4).

Hedgpeth discloses a grill 20 for use in both mild and windy conditions. The grill 20 has a grill tub 22 with ventilation apertures 45 (shown in FIG. 3) and wind baffles 38-42, each having a series of offset ventilation apertures 47 to create a serpentine flow of air to decrease wind velocity and allow for proper combustion. (See Hedgpeth, at col. 3, lines 18-48). The grill 20 also has a grill hood 24 with ventilation ports 74 to exhaust gasses. Adjacent to the ventilation ports 74, there are slide vent controls 76 to regulate airflow. (See Hedgpeth, at col. 6, lines 49-56).

FIG. 2 of Hedgpeth illustrates the intended airflow through the grill 20. Specifically, air flows into the ventilation apertures 45, and in a serpentine manner, flows through the ventilation apertures 47 of the wind baffles 38-42, past the burner 32, and then out of the grill hood 24 via the ventilation ports 74.

Applicants respectfully submit that the only disclosed or suggested primary conduit for incoming air in both Perkins and Hedgepeth is their respective bases. Further, Applicants respectfully submit that if the ventilation ports 74 located on the grill hood 24 were the primary conduit for incoming air in Hedgepeth, such a configuration would render the primary teaching of Hedgepeth, wind resistant baffles that deflect the flow path of combustion air (See Abstract of Hedgepeth), inoperable.

Accordingly, Applicants respectfully submit that none of Perkins, Hedgpeth, or Hennick discloses or suggests, either alone or in combination, "...a cover covering the food, defining a cooking space thereunder, and having an air ventilation structure serving as a primary conduit of air into and out of the cooking space during cooking, when the cover is in a closed position."

In the Office Action, at page 5, item 6, the Examiner rejected claim 8 under 35 U.S.C. §103(a) as being unpatentable over Perkins in view of Hedgpeth, and further in view of Makris (UK Patent No. 2 286 111 – hereinafter Makris). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

Amended, independent claim 8 recites: "...a heat-reflecting unit seated adjacent to the grill unit, reflecting heat radiated from the heating unit to the grill unit, containing water therein, and having a heat reflecting surface cooled by the water, to prevent materials dropping from the food onto the heat reflecting surface from being burned; and a cover covering the food, defining a cooking space thereunder, and having a plurality of air ventilation holes serving as a primary conduit to ventilate air into and out of the cooking space when the cover is in a closed position."

The device disclosed in Makris has a water reservoir 15 that serves as a sump for liquids

falling from the food. The reflector 24 does not contain water therein, and is positioned such that no materials dropping from cooking food would fall on the reflector 24. (See Makris, at page 2, lines 6-9, and at page 3, lines 3-10).

Applicants respectfully submit that the reflector 24 is not cooled by water. Further, Applicants respectfully submit that Makris neither discloses nor suggests an embodiment in which food is even likely to drop onto the reflector 24, but even if it should, there is no disclosed or suggested embodiment in which such food would be prevented from burning.

Accordingly, Applicants respectfully submit that none of Perkins, Hedgpeth, or Makris discloses or suggests, either alone or in combination, "...a heat-reflecting unit seated adjacent to the grill unit, reflecting heat radiated from the heating unit to the grill unit, containing water therein, and having a heat reflecting surface cooled by the water, to prevent materials dropping from the food onto the heat reflecting surface from being burned; and a cover covering the food, defining a cooking space thereunder, and having a plurality of air ventilation holes serving as a primary conduit to ventilate air into and out of the cooking space when the cover is in a closed position."

Thus, Applicants respectfully submit that independent claims 1, 8, and 9 patentably distinguish over the cited art, and should be allowable for at least the above-mentioned reasons.

Further, Applicants respectfully submit that claims 2-7, which depend from independent claim 1, and claims 10-17, which depend from independent claim 9, should be allowable for at least the same reasons as claims 1 and 9, as well as for the additional features recited therein.

NEW CLAIMS:

Applicants respectfully submit that for at least similar reasons as those stated in the section regarding the rejection under 35 U.S.C. §103, claim 19, which depends from independent claim 9, patentably distinguishes over the cited art and should be allowable.

CONCLUSION:

In accordance with the foregoing, Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

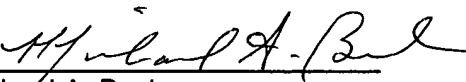
If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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